

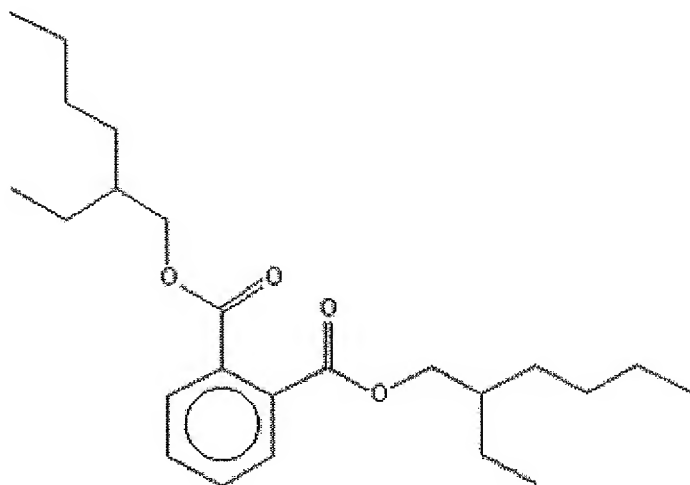
REMARKS

In view of the following remarks, applicant believes the pending application is in condition for allowance. Claims 4, 13, 15-18 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent 4,929,475 (de Jong). Claims 1-3, 5-7, 12, and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by US 2005/0147834 (Bruchmann et al.). The applicant respectfully traverses these rejections.

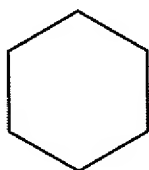
The Examiner appears to misunderstand the fundamental difference between the benzenecarboxylic esters, such as Platinol AH (ethylhexylphthalate = benzene-1,2-dicarboxylic acid ethylhexylester) disclosed in De Jong which is of the formula

Bis(2-ethylhexyl)phthalate

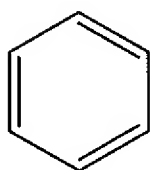
- **CAS Registry Number:** 117-81-7



The applicant claims a cyclohexanepolycarboxylic acid derivative. The applicant's claimed invention requires a cyclohexane



while the prior art requires a benzene



The benzene ring is unsaturated (has double bonds) while the cyclohexane is saturated (no double bonds). The Examiner failed to recognize the fundamental difference between benzene on the one hand and cyclohexane on the other hand, which is basic chemistry.

The Examiner states at page 7 of the Office action, “applicant admits that ethylhexylphthalate (Platinol AH), disclosed as cyclohexane polycarboxylic acid derivative in the specification”. Such is not admitted since, as a matter of fact, ethylhexylphthalate is not disclosed as cyclohexane polycarboxylic acid derivative in the specification. Again, reference is made to page 38, lines 4 to 7 of the specification saying that it is also possible to use the **hydrogenation products** of mixed phthalic acid esters, and that compounds suitable for the purpose of the present invention are the hydrogenation products of the commercially available benzenecarboxylic esters.

The Examiner continued in the “Response to Arguments” that she “would like to point out that the claim 4 states additives is a cyclohexane polycarboxylic acid derivative”. Of course, a **cyclohexane** polycarboxylic acid derivative is a derivative of **cyclohexane** polycarboxylic acid, such as an ester or an amide of **cyclohexane** polycarboxylic acid, and not a derivative of a **benzene** polycarboxylic acid, which is something completely different. The Examiner continued that “applicant has not given any evidence to the contrary, particularly when the specific

tradename that is given in the specification is the same that is in the reference". If the Examiner requests, the applicant can submit text books or down load from the internet the structure of the trademarks requested by the Examiner.

In view of the above response, applicant believes the pending application is in condition for allowance.

A one month extension fee has been paid. Applicant believes no additional fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 03-2775, under Order No. 13838-00003-US from which the undersigned is authorized to draw.

Dated: February 9, 2009

Respectfully submitted,

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